

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONTA LASHAUN PERRY,

Defendant.

No. 2:23-cr-00316-TLN

ORDER

This matter is before the Court on Defendant Donta Lashaun Perry's ("Defendant") Motion for Early Termination of Supervised Release. (ECF No. 3.) The Government has not filed an opposition. For following reasons, the Court GRANTS Defendant's motion.

Defendant was convicted of Felon in Possession of a Firearm in violation of 18 U.S.C. §§ 922(g) & 924(2) and Using, Carrying and Possessing a Firearm in Connection with a Drug Trafficking Offense in violation of 18 U.S.C. § 924(c)(1)(A)(i) in the Northern District of California. (ECF No. 1.) Defendant was sentenced to five years in prison to be followed by a 36-month term of supervised release. (ECF No. 3 at 2.) Defendant's term of supervised release began on August 7, 2023. (*Id.*) Jurisdiction transferred to this Court on December 13, 2023. (*Id.*) Defendant filed the instant motion for early termination of his supervised release on January 13, 2025. (ECF No. 4.)

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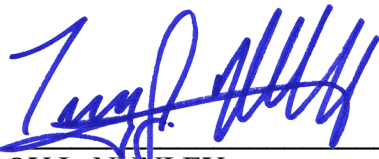
1 “The correct legal standard for deciding a motion to terminate supervised release is set
2 forth in 18 U.S.C. § 3583(e).” *United States v. Emmett*, 749 F.3d 817, 819 (9th Cir. 2014). “The
3 statute provides that, after considering a subset of the sentencing factors set forth in 18 U.S.C. §
4 3553(a), a court may terminate a term of supervised release ‘if it is satisfied that such action is
5 warranted by the conduct of the defendant released and the interest of justice.’” *Id.* (quoting 18
6 U.S.C. § 3583(e)(1)). Defendant has the burden to demonstrate that early termination of
7 supervised release is justified. *United States v. Weber*, 451 F.3d 552, 559 n.9 (9th Cir. 2006)).

8 Defendant requests early termination of supervised release based on his good conduct on
9 supervised release for over a year, his hard work as a professional chef and small business owner,
10 his commendable efforts to support his family, and the support of his probation officer. (ECF No.
11 3 at 4.) Defendant also submits many character reference letters from friends, family, and co-
12 workers, attesting to the positive changes he has made in his life. Based on the Government’s
13 non-opposition and Defendant’s exemplary conduct while on supervised release, the Court finds
14 Defendant has met his burden to show that early termination of supervised release is warranted
15 pursuant to 18 U.S.C. § 3583(e). *Emmett*, 749 F.3d at 819.

16 Accordingly, Defendant’s Motion for Early Termination of Supervised Release is hereby
17 GRANTED. (ECF No. 3.)

18 IT IS SO ORDERED.

19 Date: February 6, 2025

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21 TROY L. NUNLEY
22 CHIEF UNITED STATES DISTRICT JUDGE
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